

Practitioner's Docket No. TAV-2044/030631

PATENT

IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

In re application of: Lippard et al.

Application No.: 10 / 656,918 Group No. 1742

Filed: September 5, 2003 Examiner: M. Alexander

For: COBALT-NICKEL-CHROMIUM-MOLYBDENUM ALLOYS WITH REDUCED LEVEL OF
TITANIUM NITRIDE INCLUSIONS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTENTION: GROUP DIRECTOR

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT AFTER
MAILING DATE OF FINAL ACTION, NOTICE OF ALLOWANCE
OR ACTION THAT CLOSES PROSECUTION BUT BEFORE
PAYMENT OF ISSUE FEE (37 C.F.R. § 1.97(d))**

NOTE: 37 C.F.R. 1.97(d): An information disclosure statement shall be considered by the Office if filed by the applicant after the period specified in paragraph (c) of this section [i.e., after the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application], provided that the information disclosure statement is filed on or before payment of the issue fee and is accompanied by:

- (1) The statement specified in paragraph (e) of this section; and
- (2) The fee set forth in § 1.17(p).

NOTE: If the information disclosure statement that contains the items required by 37 C.F.R. § 1.97(d) is filed before, or simultaneously with, the payment of the issue fee, then it will be considered. See Notice of April 20, 1992 (1138 O.G. 37-41, 40) and 37 C.F.R. § 1.97(d).

TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed after a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

STATEMENT, PETITION AND FEE

2. In accordance with the requirements of 37 C.F.R. § 1.97(d):

- A. Accompanying this transmittal is a statement, as specified in 37 C.F.R. § 1.97(e).
- B. Applicant submits the petition fee set forth in § 1.17(p) (\$180.00).

NOTE: "The petition should be directed to the Group Director of the examining group handling the application. The petition need do nothing more than request consideration of the information being submitted." Notice of April 20, 1992 (1138 O.G. 37-41, 40).

FEE DUE

3. Petition fee due (§ 1.17(p)): \$180.00

(Transmittal of Information Disclosure Statement after Mailing Date of Final Action or Notice of Allowance But before Payment of Issue Fee [6-5]—page 2 of 3)

METHOD OF PAYMENT OF FEE

4.

- Attached is a check money order in the amount of \$ _____
 Authorization is hereby made to charge the amount of \$ 180.00
 to Deposit Account No. 11-1110
 to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

- Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.



SIGNATURE OF PRACTITIONER

Mark R. Leslie

Reg. No. 36,360

Tel. No.: (412) 355-6271

Customer No.: 25074

(type or print name of practitioner)

Kirkpatrick & Lockhart Nicholson Graham LLP

P.O. Address Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222-2312

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